

United States District Court

For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Raymond Thompson,
Plaintiff,

No. C 05-3715 MEJ

vs.

**ORDER RESCHEDULING
DEFENDANTS' MOTION TO DISMISS
HEARING; AND ORDER REQUESTING
FURTHER BRIEFING**

Richard M. Sutley, Janet Sutley, and Does 1-5,
inclusive,
Defendant.

After reviewing the parties respective papers in the above entitled matter, the Court hereby vacates the hearing date scheduled for Thursday, January 5, 2006, and resets the matter for Thursday, March 9, 2006, at 10:00 a.m.

The Court hereby ORDERS the parties to brief the following issues:

1.) Does the language of Cal. Civil Code § 51.7 apply as amended by the legislature in 2005 or does the statute as written in 1999 apply to the instant case?

2.) Does Cal.Civil Code § 51.7 provide a private right of action against an individual, where there is no state action involved?

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3.) Does Cal. Civil Code § 52 provide a civil penalty for conduct portrayed by a individual person?

IT IS SO ORDERED.

Dated: January 4, 2006



MARIA-ELENA JAMES
United States Magistrate Judge

United States District Court

For the Northern District of California